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6 Attorneys for Plaintiffs
7 Clarence Beaver and
8 Joseph Stilwell

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 CLARENCE BEAVER and JOSEPH
12 STILWELL,

13 Plaintiffs,

14 vs.

15 COUNTY OF BUTTE, BUTTE COUNTY
16 SHERIFF'S OFFICE, SHERIFF KORY L.
17 HONEA in his Individual Capacity, DEPUTY
18 PEREZ in his Individual Capacity, DEPUTY
19 WAHLBERG in his Individual Capacity,
20 SERGEANT CAMPBELL in his Individual
21 Capacity, CORRECTIONAL OFFICERS
22 JOHN DOE 1-10, WELLPATH, LLC,
23 WELLPATH MEDICAL STAFF JOHN DOE
24 1-10 and JANE DOE 1-10.

25 Defendants.

CASE NO. 2:20-cv-00279-WBS-DB

**STIPULATION AND ORDER TO
AMEND THE FIRST AMENDED
COMPLAINT**

26 Plaintiffs CLARENCE BEAVER and JOSEPH STILWELL along with the
27 Butte County Defendants and the Wellpath Defendants, by and through their
28 undersigned counsel of record and subject to the approval of the court, stipulate and
request a further amendment of the First Amended Complaint in order to correct the
caption and identify the proper parties. Following Butte County's responses to
plaintiffs' discovery demands, plaintiffs were informed that Sergeant Campbell was
not the supervising officer on duty on the day of the incident, but instead, it was
Sergeant J. Behlke. Plaintiffs were also informed by counsel for Wellpath LLC that

1 Wellpath was not the medical provider at the jail on the day the subject incident
2 occurred. Plaintiffs have been informed that the correct medical provider is
3 California Forensic Medical Group (“CFMG”). With regards to “CFMG” the
4 defendants are agreeable to substituting the name California Forensic Medical
5 Group, Inc., (“CFMG”) in place of Wellpath Medical Staff “John Doe”. For these
6 reasons, the parties are in agreement that a further amendment of the Complaint
7 would be prudent.

8 **IT IS SO STIPULATED.**

9 Dated: February 23, 2021

10 By: /s/ Ron Marquez
11 Law Offices of Ron Marquez
12 Ron Marquez, Esq.
13 Attorneys for Plaintiffs
14

15 By: /s/ Peter Washington
16 Peter Washington, Esq.
17 WASHINGTON & WASHINGTON
18 Attorneys for County of Butte, Butte County
19 Sheriff’s Office, Sheriff Kory L. Honea, Esteban
20 Perez, Chadwick Walberg and Kerry Turner
21

22 By: /s/ Jerome Varanini
23 Jerome M. Varanini, Esq.
24 LAW OFFICES OF JEROME M. VARANINI
25 Attorneys for WellPath, LLC
26
27
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED THAT:

1. The caption of the Amended Complaint be further amended to reflect the removal of Sergeant Campbell as a named Defendant and replaced with the name Sergeant J. Behlke.
2. The caption shall further reflect the substitution of a WellPath John Doe and replaced with the name California Forensic Medical Group, Inc., ("CFMG").
3. The Amended Complaint shall be filed pursuant to this stipulation.

IT IS SO ORDERED.

Dated: February 23, 2021


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE